

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Jewell Heighton,
Plaintiff,

v.

Case No. 1:12cv38
(J. Dlott ; Litkovitz, MJ)

Commissioner of Social Security,
Defendant.

ORDER

This matter is before the Court on plaintiff's motion for summary judgment and memorandum in support filed in this matter (Docs. 7 & 8). This Court shall construe plaintiff's motion as plaintiff's statement of errors pursuant to Magistrate Judges' General Order Concerning Social Security Appeals. The Clerk of Court is directed to re-docket plaintiff's submission as a statement of errors. The Clerk shall also issue a copy of this Court's General Order concerning social security appeals to plaintiff's counsel.

The Commissioner shall file a memorandum in opposition in this matter within thirty (30) days of the date of this Order.

IT IS SO ORDERED.

Date 5/15/12

awh

May 15, 2012



Karen L. Litkovitz
United States Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
AT CINCINNATI

IN RE SOCIAL SECURITY APPEALS

GENERAL ORDER NO.:
CIN 12-01

MAGISTRATE JUDGES' GENERAL ORDER
CONCERNING SOCIAL SECURITY APPEALS

FILED
JAMES BONINI
CLERK
2012 FEB 21 AM 10:34
U.S. DISTRICT COURT
SOUTHERN DIST OHIO
WEST DIV CINCINNATI

To provide for the efficient adjudication of appeals to this Court of decisions of the Commissioner of Social Security under the Social Security Act, it is here **ORDERED** with respect to all such appeals:

1. All prior general orders of the United States Magistrate Judges at Cincinnati with respect to all such cases are hereby **RESCINDED**.

2. The Commissioner shall file and serve an answer and a certified copy of the administrative record, including transcript, within sixty (60) days after service of process.

3. Within forty-five (45) days of service of the answer and administrative record, the plaintiff shall file and serve a "Statement of Errors" upon which plaintiff seeks reversal or remand. This statement shall be organized in the form of a memorandum in support of plaintiff's position and shall also include page references to the administrative record, as well as citations of applicable law. Statements of Error shall present the detail ordinarily expected in a motion for summary judgment.

4. Within thirty (30) days of service of the Statement of Errors, the Commissioner shall file and serve a "Memorandum in Opposition" to plaintiff's Statement of Errors. This memorandum shall be organized in the form of a memorandum in opposition to the plaintiff's position and in support of the Commissioner's decision, and shall also include page references to the administrative record as well as citations of applicable law and supporting authority.

5. The plaintiff may file and serve a reply memorandum within ten (10) days of service of the Commissioner's Memorandum in Opposition.

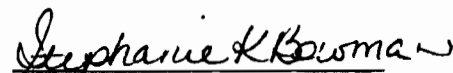
6. All cases will be decided on the memoranda and the administrative record, except that the Court reserves the right to hold oral argument, by telephone or otherwise, in any such case.

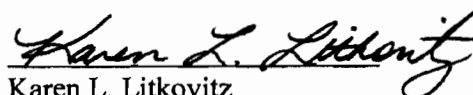
7. In cases decided by the Magistrate Judge upon consent under 28 U.S.C. § 636(c), appeals shall be taken as provided by law. In cases in which the Magistrate Judge makes a Report and Recommendation to a District Judge, the time for filing objections shall be the fourteen (14) day period provided by 28 U.S.C. § 636(b), Fed. R. Civ. P. 72, and all other applicable provisions of law.

8. The practice of seeking lengthy (*e.g.*, 30 day) extensions of time to file and serve Statements of Error or Objections on conclusory grounds (*e.g.*, "heavy caseload") is strongly discouraged.

9. This General Order is effective immediately and applies to cases currently pending before the Court.

February 14, 2012


Stephanie K. Bowman
United States Magistrate Judge


Karen L. Litkovitz
United States Magistrate Judge